

IN THE CLAIMS

Please amend the claims as follows:



Please amend claim 1 as follows:

1. (twice amended) A human Erythropoietin receptor agonist polypeptide, comprising a modified Erythropoietin amino acid sequence selected from the group consisting of:

(a) the sequence of SEQ ID NO:121;

(b) a polypeptide sequence comprising residues 7-166 of SEQ ID NO:121;

(c) a polypeptide sequence comprising residues 1-161 of SEQ ID NO:121; and

(d) a polypeptide sequence comprising residues 7-161 of SEQ ID NO:121;

and wherein said modification comprises the linear rearrangement of the sequences of (a)-(d) wherein the N-terminus is joined to the C-terminus directly or through a linker capable of joining the N-terminus to the C-terminus and new C- and N-termini are created between the amino acid residue pairs of SEQ ID NO: [±] 121 selected from the group consisting of:

23-24, 24-25, 25-26, 26-27, 27-28, 28-29, 29-30, 30-31, 31-32, 32-33, 33-34, 34-35, 35-36, 36-37, 37-38, 38-39, 40-41, 41-42, 43-44, 44-45, 45-46, 46-47, 47-48, 48-49, 50-51, 51-52, 52-53, 53-54, 54-55, 55-56, 56-57, 57-58, 77-78, 78-79, 79-80, 80-81, 81-82, 82-83, 84-85, 95-86, 86-87, 87-88, 88-89, 108-109, 109-110, 110-111, 111-112, 112-113, 113-114, 114-115, 115-116, 116-117, 117-118, 118-119, 119-120, 120-121, 121-122, 122-123, 123-124, 124-125, 125-126, 126-127, 127-128, 128-129, 129-130, 130-131, and 131-132; and

wherein said Erythropoietin receptor agonist polypeptide may optionally be immediately preceded by (methionine⁻¹), (alanine⁻¹) or (methionine⁻², alanine⁻¹).

4. (twice amended) The Erythropoietin receptor agonist polypeptide of claim 3 wherein the polypeptide sequence (GlyGlyGlySer SEQ ID NO:123) in SEQ ID NO:1; SEQ ID NO:2; SEQ ID NO:3; SEQ ID NO:4; SEQ ID NO:5; SEQ ID NO:6; SEQ ID NO:7; SEQ ID NO:8; SEQ ID NO:9; SEQ ID NO:10; SEQ ID NO:11; SEQ ID NO:12; SEQ ID NO:13; SEQ ID NO:14; SEQ ID NO:15; SEQ ID NO:16; SEQ ID NO:17; SEQ ID NO:18; SEQ ID NO:19; SEQ ID NO:20; SEQ ID NO:21; SEQ ID NO:22; SEQ ID NO:23; SEQ ID NO:24; SEQ ID NO:25; SEQ ID NO:26; SEQ ID NO:27; SEQ ID NO:28; SEQ ID NO:29; SEQ ID NO:30; SEQ ID NO:31; SEQ ID NO:32; SEQ ID NO:33; SEQ ID NO:34; SEQ ID NO:35; SEQ ID NO:36; SEQ ID NO:37; SEQ ID NO:38; SEQ ID NO:39; SEQ ID NO:40; SEQ ID NO:41; SEQ ID NO:42; SEQ ID NO:43; SEQ ID NO:44; SEQ ID NO:45; SEQ ID NO:46; SEQ ID NO:47; SEQ ID NO:48; SEQ ID NO:49; SEQ ID NO:50; SEQ ID NO:51; SEQ ID NO:52; SEQ ID NO:53; SEQ ID NO:54; SEQ ID

NO:55; SEQ ID NO:56; SEQ ID NO:57; SEQ ID NO:58; SEQ ID NO:59 and SEQ ID NO:122 is a linker [polypeptide] sequence selected from the group consisting of;

GlyGlyGlySerGlyGlyGlySer SEQ ID NO:124;
 GlyGlyGlySerGlyGlyGlySerGlyGlyGlySer SEQ ID NO:125;
 SerGlyGlySerGlyGlySer SEQ ID NO:126;
 GluPheGlyAsnMet SEQ ID NO:127;
 GluPheGlyGlyAsnMet SEQ ID NO:128;
 GluPheGlyGlyAsnGlyGlyAsnMet SEQ ID NO:129; and
 GlyGlySerAspMetAlaGly SEQ ID NO:130.

REMARKS

Withdrawn Objections and/or Rejections

Applicants acknowledge that the application is now fully compliant with the sequence rules under 37 C.F.R. § 1.821-1.825.

New Matter 35 U.S.C. § 112, first paragraph

Claims 1^a, 2, 5, 6 and 10-14 are rejected under 35 U.S.C. § 112, first paragraph. Applicants have amended claim 1 to recite "SEQ ID NO:121" to correct the typographical error, as suggested by the Examiner. In view of the amendment applicants submit that the rejection of claim 1 and the dependent claims therefrom is moot.

^a The Examiner cited claim 11. Applicants believe that this a typographical error and the Examiner meant to cite claim 1. Applicants have responded accordingly. If the applicant's assumption is incorrect, clarification is requested.